

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NICHOLAS ROLOVICH,

Plaintiff,

v.

WASHINGTON STATE
UNIVERSITY,

Defendant.

NO. 2:22-CV-0319-TOR

ORDER GRANTING MOTION TO
DISMISS

BEFORE THE COURT is Defendants' Motion to Dismiss or, in the alternative, Strike. ECF No. 54. This matter was submitted for consideration without oral argument. The Court has reviewed the record and files herein and is fully informed. For the reasons discussed below, Defendants' Motion is **GRANTED.**

DISCUSSION

On May 30, 2023, this Court granted Defendant Inslee's Motion to Dismiss and Defendant Chun's Motion to Dismiss with prejudice and terminated both

1 Defendants from the docket. ECF No. 33. On September 19, 2023, Plaintiff filed
2 a Second Amended Complaint reasserting allegations against Defendants Inslee
3 and Chun.

4 Defendants once again seek dismissal of these allegations based on the
5 Court's prior ruling. ECF No. 54. Plaintiff "does not oppose Defendants' Motion
6 to Dismiss . . ." ECF No. 56. Plaintiff requests the Court deny Defendants'
7 request to remove references to Defendant Inslee and Chun from the Second
8 Amended Complaint as a waste of resources. *Id.*


9 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 10 1. Defendants' Motion to Dismiss, ECF No. 54, is **GRANTED**.
- 11 2. Defendants Inslee and Chun remain terminated from the docket and are
12 no longer parties to this case.
- 13 3. Because Defendants Inslee and Chun have been dismissed with
14 prejudice, the Court denies the request to Strike references to them in the
15 Second Amended Complaint.

16 The District Court Executive is directed to enter this Order and furnish
17 copies to counsel.

18 DATED October 24, 2023.




THOMAS O. RICE
United States District Judge